

107th Supplemental Agreement

between

NETWORK RAIL INFRASTRUCTURE LIMITED

as Network Rail

and

FIRST GREATER WESTERN LIMITED

as Train Operator

relating to the Track Access Contract (Passenger Services)
dated 4th March 2016

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THIS 107th SUPPLEMENTAL AGREEMENT is dated 7th April 2025 and made

BETWEEN:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at Waterloo General Office, London SE1 8SW (“Network Rail”); and
- (2) **FIRST GREATER WESTERN LIMITED**, (the “Train Operator”), a company registered in England under number 05113733 having its registered office at Milford House, 1 Milford Street, Swindon SN1 1HL.

WHEREAS:

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 4th March 2016 on terms approved, and pursuant to directions issued, by ORR under section 17 of the Act.
- (B) The parties enter into this Supplemental Agreement in order to make amendments to Schedule 5 Table 2.2.

IT IS HEREBY AGREED as follows:

1. INTERPRETATION

In this Supplemental Agreement:

- (A) Words and expressions defined in and rules of interpretation set out in the Contract shall have the same meaning and effect when used in this Supplemental Agreement except where the context requires otherwise;
- (B) “Effective Date” means the later of:
 - (i) the date upon which the Office of Rail and Road issues its approval, pursuant to Section 22 of the Act, of the terms of this Supplemental Agreement; and
 - (ii) 0201 hours on 18th May 2025.

2. EFFECTIVE DATE AND TERM

The amendments to the Contract pursuant to this Supplemental Agreement shall have effect from the Effective Date and expire on the expiry date or earlier termination of the Track Access Contract, except where earlier termination of rights is shown in the relevant footnote.

3. AMENDMENTS TO THE CONTRACT

- 3.1 In Schedule 5 Table 2.2, the entries for Service Groups EF09 and EF10 shall be deleted and replaced with the entries set out in Annex 1.

4. GENERAL

The parties agree that the Contract, as amended by this Supplemental Agreement, shall remain in full force and effect in accordance with its terms, and during the period in which the amendments made by this Supplemental Agreement are to have effect, all references in the Contract to “the contract” or, as the case may be, the “Agreement”, “herein”, “hereof”, “hereunder” and other similar expressions shall, unless the context requires otherwise, be read and construed as a reference to the Contract as amended by this Supplemental Agreement.

5. THIRD PARTY RIGHTS

No person who is not a party to this Supplemental Agreement shall have any right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Supplemental Agreement.

6. LAW

This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with English Law.

7. COUNTERPARTS

This Supplemental Agreement may be executed in two counterparts which, taken together, shall constitute one and the same document. Either party may enter into this Supplemental Agreement by signing either of such counterparts.

IN WITNESS of which the duly authorised representatives of Network Rail and the Train Operator have executed this Supplemental Agreement on the date first above written.

SIGNED

Print
Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED

by 

Marcus Jones

name.....

SIGNED

Print
Duly authorised for and on behalf of
FIRST GREATER WESTERN LIMITED

by 

Richard Rowland

name.....

Annex 1

Table 2.2: Additional Passenger Train Slots

1					2		
Service Group EF09							
Service Description North Downs					Additional Passenger Train Slots		
From	To	Via	Description	TSC	Weekday	Saturday	Sunday
Shalford	Gatwick Airport		EF09.201	25521007	1 ¹	0	0
Gatwick Airport	Reading	Guildford and Reigate	EF09.202	25521007	2 ²	0	0

Notes to Table:

1. Applies from SCD 2025 and expires on the Principal Change date 2025. Only available as a through service with a right in EF09.105 for a service departing Reading between 20.00 and 21.00.
2. Applies from SCD 2025 and expires on the Principal Change Date 2025.

Table 2.2: Additional Passenger Train Slots

1					2		
Service Group EF10							
Service Description BRISTOL SUBURBAN					Additional Passenger Train Slots		
From	To	Via	Description	TSC	Weekday	Saturday	Sunday
Gloucester	Great Malvern		EF10.204	25484001	0	1 ⁴	0
Gloucester	Worcester Foregate Street	Gloucester	EF10.205	25484001	0	1 ⁴	0
Weston-super-Mare	Bristol Temple Meads		EF10.206	25467001	0	0	2 ⁴
Taunton	Exeter St Davids		EF10.207	25467001	2 ⁵	0	0
Exeter St Davids	Taunton		EF10.207	25467001	2 ⁶	0	0

Notes to Table:

1. Not used
2. Not used
3. Not used
4. Expires Principal Change date in 2025.
5. Applies from the Subsidiary Change Date in 2025 and expires on the Principal Change Date 2025. Only available as a through service with EF10.141
6. Applies from the Subsidiary Change Date in 2025 and expires on the Principal Change Date 2025. Only available as a through service with EF10.139